

PATENT

Case Docket No. DYOU13.1A2CPI

Date: August 27, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Arkowitz, et al.  
App. No. : 10/054,399  
Filed : January 21, 2002  
For : NUCLEOTIDE SEQUENCES  
AND PROTEIN SEQUENCES  
Group Art Unit : 1655

) I hereby certify that this correspondence and all marked  
) attachments are being deposited with the United States  
) Postal Service as first class mail in an envelope addressed  
) to: United States Patent and Trademark Office, P.O. Box  
) 2327, Arlington, VA 22202, on

August 27, 2002

(Date)

*Catherine M. Sanders*  
Catherine M. Sanders, Reg. No. 50,660

TRANSMITTAL LETTER

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

ATTENTION: BOX MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(f), which was mailed by the Office on April 3, 2002, enclosed are:

- (X) A Notice to File Missing Parts.
- (X) An executed Declaration by Inventors.
- (X) A Power of Attorney Form and Copy of Assignment.
- (X) A Preliminary Amendment with Abstract.
- (X) A Sequence Submission Statement.
- (X) A paper sequence listing.
- (X) A computer readable sequence listing disk.
- (X) 28 sheets of drawings.

09/03/2002 HBIZUNES 00000045 10054399

02 FC:217

460.00 OP

PATENT

Case Docket No. DYOU13.1A2CP1

Date: August 27, 2002

(X) An extension of time to respond for three months is hereby requested.

Time Extension Fee:

<input type="radio"/>	one month	(\$55 small entity)
<input type="radio"/>	two months	(\$200 small entity)
<input checked="" type="radio"/>	three months	(\$460 small entity)

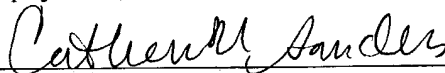
(X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

(X) Fees as calculated below:

FEE FOR EXTENSION OF TIME (LARGE ENTITY)	three months	\$ 920
SURCHARGE 37 CFR 1.16(e)		\$ + 130
TOTAL OF ABOVE CALCULATIONS		\$ 1050
REDUCTION BY 1/2 FOR FILING BY SMALL ENTITY.		
Note 37 CFR 1.9, 1.27, 1.28. If applicable, verified statement must be attached.		\$ - 525
TOTAL FEES SUBMITTED HERewith		\$ 525

(X) A check in the amount of \$525.00 to cover the above fees is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

  
Catherine M. Sanders  
Registration No. 50,660  
Agent of Record

DYOU13.1A2CP1 R.S.  
DEA/MRB/CMS

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/054,399	01/22/2002	Peter M. Nern	DYOU13.1A2CP1

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
620 NEWPORT CENTER DRIVE  
SIXTEENTH FLOOR  
NEWPORT BEACH, CA 92660



CONFIRMATION NO. 8256

FORMALITIES LETTER



\*OC000000007737137\*

Date Mailed: 03/28/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/03/2002 HBIZUMES 00000045 10054399

FILED UNDER 37 CFR 1.53(b)

01 FC:205

65.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - Numbers, letters, and reference characters must measure at least 0.32 cm (1/8 inch) in height.
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention

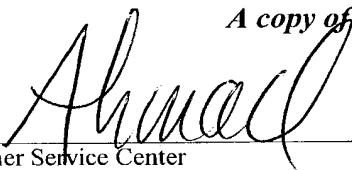
is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)**

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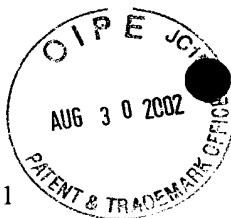
*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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DYOU13.1A2CP1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Arkowitz, et al.	)	Group Art Unit 1655
Appl. No.	:	10/054,399	)	
Filed	:	January 21, 2002	)	I hereby certify that this correspondence and all
For	:	NUCLEOTIDE SEQUENCES	)	marked attachments are being deposited with the
		AND PROTEIN SEQUENCES	)	United States Postal Service as first-class mail in
Examiner	:	Unknown	)	an envelope addressed to: United States Patent
			)	and Trademark Office, P.O. Box 2327,
			)	Arlington, VA 22202, on
			)	August 27, 2002
			)	(Date)
			)	<i>Catherine M. Sanders</i>
			)	Catherine M. Sanders, Reg. No. 50,660

SEQUENCE SUBMISSION STATEMENT

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

In response to the Notice to File Missing Parts of Non-provisional Application mailed March 28, 2002, I hereby state that the content of the substitute paper copy of the Sequence Listing and the computer readable copy are the same.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug. 27, 2002

By: *Catherine M. Sanders*  
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Sixteenth Floor  
Newport Beach, CA 92660  
(949) 760-0404